

10/605,579

REMARKS

In the Office Action dated February 24, 2004, claims 1-12 were rejected. Applicant has canceled claims 1-6 and 8, amended claims 7 and 9, and added new claim 13. Upon entrance of this Response, claims 7 and 9-13 will be pending in the present application. Reconsideration is respectfully requested.

In the Office Action the Examiner rejected claims 2, 3 and 7-11 under 35 U.S.C. § 112, second paragraph, as being indefinite. Specifically, the Examiner stated that the location of the innersphere in claims 2 and 7 was unclear and that in claims 3 and 9, "if the sine waves define the outer sphere the apices would inherently [sic] located on the outer sphere."

Applicant has amended remaining claims 7 and 9-13 to clarify the innersphere and outersphere of the golf ball. The outersphere has a diameter of at least 1.68 inches. The innersphere is concentric with the outersphere and has a diameter that is smaller than that of the outersphere. The sinusoidal surface extends between the innersphere and the outersphere. These features of the golf ball are disclosed at least in paragraphs 53 and 54 of the specification and illustrated in FIG. 2, which shows the sinusoidal structure 42 extending between the innersphere 21 and the outersphere 45 of the golf ball 20. The sinusoidal surface is defined by a plurality of sine waves, at least one of which has a bottom of the sine wave located on the innersphere and apices located on the outersphere. No new matter has been added. Applicant respectfully submits that claims 7 and 9-13 are now clear and definite.

On page 4 of the Office Action, the Examiner indicated that claims 8 and 11 would be allowable if rewritten to overcome the § 112, second paragraph, rejections and to include all of the limitations of the base claim and any intervening claims. Applicant has amended independent claim 7 to overcome the indefiniteness rejections and to include the limitation of

10/605,579

allowed claim 8. Claim 8 has been canceled. In addition, Applicant has added new claim 13, which is original claim 11 rewritten in independent form and overcoming the indefiniteness rejections.

In view of the foregoing remarks, Applicant respectfully submits that each of the outstanding rejections has been overcome and that claims 7 and 9-13 are in condition for allowance. A Notice of Allowance is respectfully requested. The Examiner is invited to telephone Applicant's Attorney, if such would advance the prosecution of this case.

Respectfully submitted,

13 April 2004



Elaine H. Lo
Registration Number 41,158
Attorney for Applicant
Callaway Golf Company
2180 Rutherford Road
Carlsbad, California 92008-7328
Telephone: 760-930-8414
Facsimile: 760-930-5019
E-mail: ElaineL@callawaygolf.com